

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Toshiya Kan

Serial No.: 09/319,093

Filed : May 28, 1999

For : RECORD/PLAYBACK APPARATUS AND RECORD/PLAYBACK  
METHOD

Attention : National Stage Processing

I hereby certify that this paper is being  
deposited this date with the U.S. Postal  
Service in first class mail addressed to  
Commissioner of Patents and Trademarks,  
Washington, D.C. 20231.

  
\_\_\_\_\_  
Jay H. Maioli  
Reg. No. 27,213

Date  
August 12, 1999

August 12, 1999  
1185 Avenue of the Americas  
New York, NY 10036  
(212) 278-0400

RESPONSE TO NOTICE TO FILE MISSING PARTS  
OF APPLICATION-FILING DATE GRANTED

Assistant Commissioner for Patents  
Box PCT  
Washington, D.C. 20231

Sir:

In response to the Notice To File Missing Parts of  
Application-Filing Date Granted mailed July 8, 1999,  
Applicants hereby submit a newly executed Declaration that  
identifies the above application by serial number and filing  
date. The required surcharge is also submitted herewith along  
with a copy of the subject Notice.

The Office is hereby authorized to charge any

08/19/1999 PWD/PE 00000056 09319093  
01 FC:115 additional fees which may be required in connection with this  
02 FC:154 110.00 OP  
130.00 OP

amendment and to credit any overpayment to our Deposit Account No. 03-3125.

If a petition for an extension of time is required to make this response timely, this paper should be considered to be such a petition, and the Commissioner is authorized to charge the requisite fees to our deposit account No. 03-3125.

Respectfully submitted,

COOPER & DUNHAM LLP



Jay H. Maioli  
Reg. No. 27,213

JHM:rv  
Enc.



Washington D.C. 20231

U.S. APPLICATION NO.

09/319, 093

FIRST NAMED APPLICANT

KAN

ATTY. DOCKET NO.

6715/57089

5611

INTERNATIONAL APPLICATION NO.

PCT/JP98/04344

I.A. FILING DATE PRIORITY DATE

09/28/98 10/02/97

DATE MAILED:

07/08/99 *8/8/99*

**NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as

- a Designated Office (37 CFR 1.494).
- an Elected Office (37 CFR 1.495):

U.S. Basic National Fee.

Copy of the international application in:

a non-English language.

English.

Translation of the international application into English.

Oath or Declaration of inventors(s) for DO/EO/US.

Copy of Article 19 amendments.

Translation of Article 19 amendments into English.

The International Preliminary Examination Report in English and its Annexes, if any.

Translation of Annexes to the International Preliminary Examination Report into English.

Preliminary amendment(s) filed \_\_\_\_\_ and \_\_\_\_\_.

Information Disclosure Statement(s) filed \_\_\_\_\_ and \_\_\_\_\_.

Assignment document.

Power of Attorney and/or Change of Address.

Substitute specification filed \_\_\_\_\_.

Statement Claiming Small Entity Status.

Priority Document.

Copy of the International Search Report  and copies of the references cited therein.

Other:

2. The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

a. Translation of the application into English. Note a processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.

The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.

b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).

c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.

The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.

d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).

3. Additional claim fees of \$ \_\_\_\_\_ as a  large entity  small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due (37 CFR 1.492(g)). See attached PTO-875.

**ALL OF THE ITEMS SET FORTH IN 2(a)-2(d) AND 3 ABOVE MUST BE SUBMITTED WITHIN ONE MONTH FROM THE DATE OF THIS NOTICE OR BY  21 OR  31 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

4. Translation of the Annexes **MUST** be submitted no later than the time period set above or the annexes will be cancelled. Note processing fee will be required if submitted later than 30 months from the priority date.

5.  The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 1.494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

***A copy of this notice MUST be returned with this response.***

Enclosed:  PCT/DO/EO/917  Notice of Defective Translation  
 PTO-875

FORM PCT/DO/EO/905 (December 1997)

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*Paulistic Kidwell*  
**National Stage Processing**  
**Paralegal Specialist**  
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